		SUN	MARY C	it incid	ENT	lan	1.20	2
Investigator:		Team #		Supervisor				
Inv. Leonard Howes	S	5		Lt.	Rober	t Coiro		
Date of Report: 12-04-90		C.C.R.B. N		2067		Classification	F; A	
Date and Time of Incident			7,7,0	Date and Time	e Reported	1 to C.C.R.B	-	
07-14-90;	1630	Mrs.		07-14	4-90;	1716		
Fordham Rd De		••	10	*****	NY		Precinct	
C MANE	ccacui A			ronx,		on the substitute of	5 W 4	2 Pct.
1		2182	1		9	<u>114040004</u>	<u> </u>	<u> </u>
§ 87(2)(b)								
§ 87	7(2)(g)		İi_	240		,		
T			:#	- 10				
¢								
<u>M</u>			 		·			-
T								
Nec	omseating							
w								
§ 87(2)(b)								
٤								
\$								
EMBERS OF THE SE	מאטר							
EMPEUS OF THE SE	NAICE							
		SUB- WIT-	 			DUIY	STATUS	
TANK NAME		SUB WIT	SHIELD	O CMD	TAX RE	G NO ON	STATUS	ASSIGNMEN
	istopher	JECT NESS	SHIELD N 	CMD C34V	20570	G. NO ON	STATUS OFF	ASSIGNMEN Patrol
	istopher	JECT NESS	SHIELD N 18026	0 <u>CMD</u> V 034V	20570	G. NO ON	Ξ	
	ristopher	JECT NESS	SHIELD N 18026	O CMD C34v	20570	G. NO DUTY	Ξ	
	ristopher	JECT NESS	SHIELD N _ 18026	O CMD C34v	TAX REG 82570	G NO ON	Ξ	
	ristopher	JECT NESS	SHIELD N _ 18026	© CMD C3MV	**************************************	G.NO ON O		
	ristopher	JECT NESS	SHIELD N 18026	© <u>CMD</u> © 744 v	**************************************	G. NO ON	Ξ	
	ristopher	JECT NESS	SHIELD N 18026	C 34V	TAX REG 82570	G NO ON		
MCCORMACK, Chr	ristopher	JECT NESS	SHIELD N 18026	C 34V			00 07 07 00 00 00 00	
NECORMACK, Chr	lleges,S	ubject PO	accident	ally/			5 0 0 0 0 5 5 0 0	Patrol
NLLEGATIONS A) Complainant a inadvertently	lleges,S	ubject PO :	accidents	ally/		500RCE UF245	5 0 0 0 0 5 5 0 0	Patrol DIX ENGLO
NECORMACK, Chr	lleges,S "gunned ng himse	ubject PO a	accidents driving	ally/		500RCE UF245	5 0 0 0 0 5 5 0 0	Patrol DIX ENGLO
NECORMACK, Chr	lleges,S "gunned ng himse her 2 y	ubject PO ; "RMP he was 1f, &the feroung childs	accidents s driving	ally/ 3, vas with		500RCE UF245	© 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0	Patrol DIX ENGLO
LLEGATIONS A) Complainant a inadvertently almost hittli together with B) Complainant a open hitting	lleges,S "gunned ng himse her 2 y lleges,S him in t	ubject PO : "RMP he was lf, &the fer oung child; ubject PO : he leg. FO	accidents s driving male he v ren.	ally/ 3. vas with o's door ack flash		### ##################################	© 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0	Patrol OIX ENCLOS 1-1E & 5
CLEGATIONS A) Complainant a inadvertently almost hittli together with B) Complainant a	lleges, S "gunned ing himse her 2 y lleges, S him in t lainant' mplainan	ubject PO : "RMP he was lf, Athe fer oung child; ubject PO : he leg. PO s face mens t off the	accidents s driving male he v ren. swung RM them sto	ally/ 3. vas with P's door ack flash PO then		500RCE UF245 & Int.	© 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0	Patrol OIX ENCLOS 1-1E & 5
A) Complainant a inadvertently almost hittli together with B) Complainant a open hitting light in Compushed the C	lleges, S "gunned ing himse her 2 y lleges, S him in t lainant' mplainan	ubject PO : "RMP he was lf, Athe fer oung child; ubject PO : he leg. PO s face mens t off the	accidents s driving male he v ren. swung RM them sto	ally/ 3. vas with P's door ack flash PO then		### ##################################	© 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0	Patrol OIX ENCLOS 1-1E & 5

One of

ADDITIONAL REMARKS/COMMENTS (If Necessary)

C.C.R.B. No. #9002067

Complainant's allegation of PO employing unnecessary force is alleged to have occurred while Complainant was crossing the street and PO was driving his RMP. Complainant's UF245 listed witness, his companion at T/P/O, failed to appear for the Complainant's Scheduled Interview, as well as, an Interview specifically scheduled for her. IO recontacted the Witness and she stated to the IO that she would prefer to call IO back re: scheduling another interview. She never called IO back. IO conducted a canvage of the P/O. IO spoke with the proprietors and their employees of shops that look out onto the precise P/O, some 50' away in the middle of Fordham Road. However, no one could recall the Subject Incident. The shops that the IO canvassed were among the closest stores to the exact point at which the Subject Incident took place according to the Complainant's description of the location.

(Encl.#'s: 1A-1E; 2A-2B; 4; 5; 7A-7B; 8; 10; 13; 18; 19; 21; 22)

SUMMARY OF FINDINGS AND RECOMMENDATIONS

	CL	ASSI'	FICA	TION	TO THE OWNER OF THE OWNER OWNER OF THE OWNER OWNER OF THE OWNER OW
ALLEGATION	F	A	F	E	FINDINGS AND RECOMMENDATIONS
A)		x			§ 87(2)(g)
B)	x				§ 87(2)(g)
<u> </u>					
				ĺ	

OTAL ENCLOSURES				INVE	INVESTIGATOR'S SIGNATUR			
7	1	21		Leonard				
			- 1			en i		

SUPERVISOR'S SIGNATURE

BRICK 3

SHEET "D"

Page of

ALLEGATION (A.)

SUMMARY OF INVESTIGATION

C.C.R.B. No#2067/90

Complainant alleges, Subject 20 accidentally/inadvertently "gunned" RMP he was driving, almost hitting himself, and the female he was with together with her 2 young children.

(Encl.#'s: 1A-1E; 5)

FO McCormack, Subject PO, states that he was stuck in traffic at T/P/O. McCormack states that in fact it was the Complainant that provoked the Subject Incident by jumping in F/O the RMP. The Complainant became belligerent&proceeded to punch the front end of the RMP. Complainant screamed at him, "Where the Fuck did you learn how to drive? Fuck You!" The Complainant then directed his wife to go across the street, while he dealt with the PO. McCormack states that he did not accidentally, or inadvertently, gun his RMP and almost hit the Complainant and his companions.

(Encl.#'s: 12A-12C)

FO Segura states that the RMP they were in was in fact actually stopped in rush-hour traffic when the unidentified Male he presumes was the Complainant started banging on the RMP's hood, yelling and screaming, and instigating a crowd to form. He was yelling, "Hey! Where are you going?" He states they definitely did not almost hit the Complainant. He states Complainant was belligerant right from the outset, telling his wife to go across the street while he dealt with the PO's.

(Encl.#: 23)

ANALYSIS/FINDING (Omit Recommendations)

Allagation "A"_\$87(2)(9)

87(2)(g)

Mes 600-6

SHEET "D'

Page 6 of 2

ALLEGATION (B)

SUMMARY OF INVESTIGATION

C.C.R.B. No.#9002067

Complainant alleges, Subject PO swung RMP's door open hitting him in the leg. PO then stuck flashlight in Complainant's face menacingly. FO then pushed the Complainant off the Avenue's median/divider into oncoming traffic.

(Encl.#'s: IA-1E; 5)

or accidentally

PO McCormack states, he did not intentionally swing RMP's door open hitting the Complainant in the leg. He states that he did not menace the Complainant with his flashlight. He states that he did not push the Complainant off the curb. He states that he did warn the Complainant that he would be DisCon'd. With that, the Complainant crossed the street, and disappeared into the crowd. McCormack states that he was heading to another higher priority job and saw no point in attempting to apprehend the Complainant.

(Encl.#: 12A-12C)

PO Segura states that the Complainant was yelling and screaming and belligerant as he welked toward the driver's side of the RMP. He states that because of the Complainant's unruly behavior, the POs had felt it best to exit the RMP so as not to be trapped in it. He states that given the congestion in the area at that time—i.e it was rush-hour—it's possible that as PO McCormack exited the RMP, the door could have tapped the Complainant. However, Segura states that McCormack did not intentionally try to hit Complainant with the door. He states that if there was any type of contact it was at most a tap, as McCormack tried to get out of the RMP. Segura states that the Complainant was not pushed by McCormack but rather feigned being pushed causing his to stumble into the stopped traffic. Segura states that the Complainant then proceeded to cross the street and disappeared into the crowd. Segura states that at no time and McCormack menace the Complainant with his flashlight.

(Encl.#: 23)

Allegation "B" _ \$87(2)(9)

87(2)(g)

100c 800.0